

09-21-01

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 35722/238390(5722-2A)

First Inventor or Application Identifier: Black, Jr.

Title of Invention: COMPOSITIONS AND METHODS FOR  
ACTIVATING GENES OF INTEREST

Express Mail Label No. EL868637407US

ADDRESS TO: **BOX PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231**

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Charles Allen Black, Jr., Pittsburgh, PA

1. ☒ The Filing Fee has been calculated as shown below:
2. ☒ Applicant claims Small Entity Status. See 37 CFR 1.27.

	No. Filed	No. Extra	Small Entity Rate	Fee 1	Large Entity Rate	Fee 0
BASIC FEE				\$355		\$0
TOTAL CLAIMS:	12 - 20 =	0		X 9 = \$ 0		x 18 = \$0
INDEP CLAIMS:	3 - 3 =	0		X 40 = \$ 0		x 80 = \$0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED				+135 = \$		+270 = \$
*If the difference in Column 1 is less than zero, enter "0" in Column 2.			TOTAL	\$355	TOTAL \$	

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. \_\_\_\_\_.

- a. ☒ Fees required under 37 CFR 1.16 (National filing fees).
- b. ☒ Fees required under 37 CFR 1.17 (National application processing fees).
- ☒ A check in the amount of \$ 355.00 for the filing fee is enclosed.
- ☐ The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.
3. ☒ Specification; Total Pages 23
4. ☒ 8 Sheets of Formal Drawing(s) (35 USC 113)
5. ☒ Declaration and Power of Attorney; [Total Pages 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

09/20/01  
JC985 U.S. PTO

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8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy (CRF)
  - b. ☒ Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05
  - c. ☒ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ Paper (7 Pages)
  - d. ☒ Statement verifying identity of above copies

#### ACCOMPANYING APPLICATION PARTS

- 9. ☐ Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
- 10. ☐ 37 CFR 3.73(b) Statement (*when there is an assignee*); ☐ Power of Attorney
- 11. ☐ English Translation Document (*if applicable*)
- 12. ☒ Information Disclosure Statement (IDS)/PTO-1449; No Copies of IDS Citations
- 13. ☐ Preliminary Amendment
- 14. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
- 15. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*)  
Foreign Priority is
- 16. ☐ Request and Certification for Non-publication under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant **must** attach form PTO/SB35 or its equivalent.
- 17. ☐ Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
- 18. **If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CF 1.76:**
  - ☒ Continuation ☐ Divisional ☐ Continuation in Part (CIP)of prior Application No: 09/446,402; Filed December 20, 1999, which was a National Phase Entry of PCT/US98/13093, filed June 24, 1998, which National Phase Entry claimed priority from U.S. Provisional Application No. 60/050,772, filed June 25, 1997.

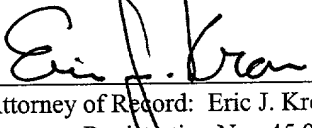
Prior Application Information: Examiner S. McGarryGroup/Art Unit: 1635

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. **CORRESPONDENCE ADDRESS**

**CUSTOMER NUMBER 00826**

Signature:

  
Attorney of Record: Eric J. Kron  
Attorney Registration No. 45,941

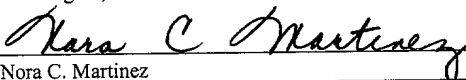
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#### CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EL868637407US

Date of Deposit September 20, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner For Patents, Washington, DC 20231.

  
Nora C. Martinez

RTA01/2103814v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Black, Jr. Group Art Unit: Not assigned  
 Appl. No.: To be Assigned Examiner: Not assigned  
 Filed: Filed Concurrently Herewith  
 For: COMPOSITIONS AND METHODS FOR ACTIVATING  
 GENES OF INTEREST



September 20, 2001

**REQUEST FOR TRANSFER OF COMPUTER READABLE FORM OF SEQUENCE  
 LISTING UNDER 37 CFR §1.821(e) AND MPEP 2422.05**

Box Patent Application  
 Commissioner for Patents  
 Washington, DC 20231

Sir:

Applicants hereby request transfer of previously filed sequence information into the above-mentioned application, concurrently filed herewith.

I hereby state that the paper copy of the sequence listing included in the specification of the above-mentioned application is identical to the computer-readable copy of the sequence listing filed in U.S. Application No. 09/446,402, filed on December 20, 1999. In accordance with 37 CFR §1.821(e) and MPEP 2422.05, please use the last-filed (April 4, 2001) computer-readable form filed in that application as the computer-readable form for the above-mentioned application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the present application.

Respectfully submitted,

Eric J. Kron  
 Attorney/Agent for Applicant  
 Registration No. 45,941

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Nora C. Martinez

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